

UNIVERSITY OF WISCONSIN-MADISON AUTHORITY

Budget Summary						FTE Position Summary
Fund	2010-11 Adjusted Base	Governor		2011-13 Change Over Base Year Doubled		There are no positions authorized for the University of Wisconsin-Madison.
		2011-12	2012-13	Amount	%	
GPR	\$0	\$377,696,000	\$462,233,100	\$839,929,100	N.A.	
PR	0	90,066,200	94,506,400	184,572,600	N.A.	
SEG	<u>0</u>	<u>25,870,000</u>	<u>25,870,000</u>	<u>51,740,000</u>	N.A.	
TOTAL	\$0	\$493,632,200	\$582,609,500	\$1,076,241,700	N.A.	

Budget Change Items

Create UW-Madison Authority

1. CREATE UW-MADISON AUTHORITY

Governor: Create an authority, which would be a public body corporate and politic, to be known as the "University of Wisconsin-Madison." Create a chapter in the statutes titled "University of Wisconsin-Madison." Establish the mission and purpose of UW-Madison which would be the same as the mission and purpose established for UW-Madison by the UW System Board of Regents except that language related to how UW-Madison would fulfill its mission would be omitted. Provide that, on the effective date of the bill, the UW System would transfer all assets, liabilities, including real property, tangible personal property, including records, moneys in the university trust funds, and pending matters that relate to the operation of UW-Madison, as determined by the DOA Secretary, to the UW-Madison authority. Provide that all employees holding positions in the UW System assigned to UW-Madison would be transferred to UW-Madison. Provide that all contracts entered into by the Board of Regents that are primarily related to the operation of UW-Madison, as determined by the DOA Secretary, and the lease and affiliation agreements with the UWHCA Board of Directors would remain in effect and would be transferred to the Board of Trustees. Provide that the Board of Trustees would carry out any obligations under each transferred contract or agreement until that contract or agreement is modified or rescinded. Specify that any cooperative agreement or memorandum of understanding between UW-Madison and another institution within the UW System for any academic, research, or outreach program or activity would continue regardless of any changes in the structure or mechanism of funding for the program or activity. Provide that such agreements and memoranda of understanding could be modified upon the mutual agreement of the Board of

Trustees and the other institution or if funds are no longer appropriated for that program or activity. Provide that all policies and procedures of the UW System that relate to the operation of UW-Madison and all policies and procedures of UW-Madison would become the policies and procedures of the UW-Madison authority until they expire or are modified or rescinded by the Board of Trustees. Provide that the Board of Trustees would enforce certain rules promulgated by the Board of Regents related to the protection of people and the management of property until the Board of Trustees promulgates such rules. Provide that the Board of Regents would provide the UW-Madison authority with the usual and customary services provided and any other services or resources necessary to complete these transfers until the Board of Trustees notifies the Board of Regents that these transfers have been completed.

[Bill Sections: 818, 1087, 1103, 1104, 1109, and 9152(1)]

2. UW-MADISON BOARD OF TRUSTEES: MEMBERSHIP

Governor: Create a Board of Trustees of UW-Madison consisting of the following: (a) 11 members appointed by the Governor, including at least one member of the Board of Regents and one member representing the agricultural interests of this state; (b) two faculty members selected by the faculty; (c) one UW-Madison employee who is not a faculty member selected by UW-Madison employees who are not faculty; (d) two UW-Madison alumni selected by the Wisconsin Alumni Research Foundation (WARF) Board; (e) two UW-Madison alumni selected by the Wisconsin Alumni Association Board; (f) two UW-Madison alumni selected by the UW Foundation Board; and (g) one UW-Madison student selected by the UW-Madison students. Require that at least seven of the 11 Trustees appointed by the Governor be alumni of UW-Madison. Provide that the UW-Madison chancellor would serve as a nonvoting member of the Board of Trustees.

Specify additional qualifications for members appointed by the WARF Board, the Wisconsin Alumni Association Board, the UW Foundation Board, and the Governor, except for the member appointed from the Board of Regents and the members representing the agricultural interests of this state. Require that these members must have a demonstrated commitment to the welfare of UW-Madison and must have management experience or possess expertise in aspects of UW-Madison's mission, such as undergraduate, graduate, and professional education, research, intellectual property, support of existing industries, new business startups, and public service.

Except for initial appointments, provide that all Trustees would be appointed to three-year terms except that the student Trustee would be appointed to a two-year term. Specify that no Trustee would be able to serve more than two consecutive terms and that the student Trustee would not be able to serve more than one term. Specify that a vacancy on the Board of Trustees would be filled in the same manner as the original appointment for the remainder of the incumbent's term.

Initial Appointments. Provide initial appointments of varying lengths so that the terms of Trustees would be staggered and that, after the initial appointments, no more than eight new members would be appointed to the Board of Trustees in any one year except for in the case of a

vacancy. Specify that the member of the Board of Regents, the member representing the agricultural interests of this state, two other members appointed by the Governor, one faculty member, the university employee member, and the two members appointed by the WARF Board would initially be appointed to terms expiring May 1, 2014. Specify that four members appointed by the Governor, the two alumni members selected by the Wisconsin Alumni Association, and the student member would initially be appointed to terms expiring May 1, 2013. Specify that three members appointed by the Governor, a faculty member, and both members appointed by the UW Foundation would initially be appointed to terms expiring May 1, 2012.

[Bill Sections: 1087 and 9155(2)]

3. UW-MADISON BOARD OF TRUSTEES: ADDITIONAL PROVISIONS

Governor: Provide that no member of the Board of Trustees could be compensated for his or her service but could be reimbursed for expenses, including travel. Provide that an action could not be brought against a member of the Board of Trustees and a member of the Board of Trustees would not be liable for any act or omission in the performance of his or her duties as a member of the Board of Trustees. This provision would not apply if the act or omission constitutes willful misconduct.

Provide that the Board of Trustees would annually elect a chairperson and other officers as considered appropriate. Provide that eleven voting members would constitute a quorum and that the Board of Trustees could take action upon a vote of a majority of the members present, unless the bylaws of the authority would require a larger number.

Provide that the Board of Trustees would appoint a secretary who would keep records of all its transactions. Provide that the state treasurer would serve as the treasurer for all funds appropriated to the Board of Trustees.

Provide that Board of Trustees' meetings would be open and all records of meetings and all proceedings of the Board of Trustees would be open to public inspection. Require the Board of Trustees to establish policies for access to the Board by the public, faculty, students, and employees.

[Bill Section: 1087]

4. BOARD OF TRUSTEES POWERS AND DUTIES

Governor: Provide that the Board of Trustees would have all the powers necessary or convenient to carry out the purposes and provisions of the proposed chapter which would create the UW-Madison authority. Under current law, the UW System Board of Regents similarly possessed all powers necessary or convenient for the operation of the UW System except as limited by statute. Provide that the UW-Madison Board of Trustees would be granted the following specific powers: (a) adopt, amend, and repeal any bylaws, policies, and procedures for the regulation of its affairs and the conduct of its business; (b) have a seal and alter the seal at

pleasure; (c) maintain an office; (d) accept gifts, grants, loans, or other contributions from private and public sources; (e) establish UW-Madison's annual budget and monitor the fiscal management of UW-Madison; and (f) execute contracts and other instruments required for the operation of UW-Madison.

Provide that the UW-Madison Board of Trustees would have the following powers and duties which are identical to powers and duties of the UW System Board of Regents under current law: (a) police authority on properties subject to its jurisdiction; (b) the right to seek injunctive relief; (c) procurement of insurance; (d) conferring of degrees; (e) parking fees; (f) transportation planning; (g) the authority to acquire land by condemnation; (h) use of auxiliary enterprise reserve funds established prior to 1971; (i) tax deferred annuities for the benefit of employees; (j) contributions to the football coaches pension plan; (k) discipline for students who uses controlled substances or their analogs; (L) the provision of information on sexual assault and sexual harassment during new student orientation; (m) prior approval of and a process for submitting projects to the building commission for approval; (n) prohibition against providing financial assistance to any person who is required to register for selective service and has not done so; (o) accommodations for students who are national guard members who withdraw as the result of being called up for active duty; (p) permit the reserve officer training corps to operate on campus; and (q) prohibit the use of general purpose revenue, tuition, or academic fees for the chancellors' automobile allowance.

Provide that the UW-Madison Board of Trustees would have powers related to the protection of people and the management of property identical to the powers and duties of the UW System Board of Regents except that: (a) the Board of Trustees would not require the prior approval of the Building Commission to permit the construction of a facility that would be privately owned or operated on lands under its control; (b) purchases and sales of real property would not be subject to the approval of the Building Commission; (c) DOA would not be responsible for Board of Regents leases of real property; and (d) the Board of Trustees would not need to approval of the Building Commission to sell or lease residence halls to another state agency or nonstate nonprofit agency.

In addition, provide that the UW-Madison Board of Trustees would have the following powers and duties which would differ from the power and duties of the UW System Board of Regents as specified: (a) with regard to the admission of applicants, specify no test based upon color, creed, disability, ancestry, age, sexual orientation, pregnancy, marital status, or parental status should ever be allowed in addition to the tests prohibited under current law governing the admission to UW System institutions; (b) with regard to transfer policies, the Board of Trustees would not be required to establish and maintain a computer-based transfer system; (c) application fees would not be capped at \$44 for undergraduates and \$56 for graduates with \$3 from each fee being used to support the higher education location program; (d) with regard to financial aid, the Board of Trustees would not be required to develop and submit a proposed formula for the Wisconsin higher education grant program for UW System (and, under the bill, UW-Madison) students to the Higher Educational Aids Board; (e) with regard to parking rules, fines collected would not be deposited into the state treasury and credited to auxiliary enterprises appropriation; (f) with regard to the investment of surplus funds, permit any surplus funds to be invested instead of just surplus funds in the auxiliary enterprises appropriation; (g) in regard to a

library depository, do not limit the Board of Trustee's authority to expend funds for the purchase of land, the construction of buildings, and the purchase of depository facilities to funds appropriated in the appropriation schedule; and (h) with regard to sabbatical leave for instructional faculty, do not require that funds be provided from the general program operations appropriation.

Provide that the UW-Madison Board of Trustees would have the following current law powers and duties of the UW System Board of Regents which would be deleted under the bill: (a) expend university fund income appropriated by the Legislature for the erection of buildings and the purchase of equipment or books on or at UW-Madison; (b) establish a Gaylord Nelson chair of integrated environmental students; and (c) ensure that UW-Madison report utility charges to fund debt service on the Walnut Street and Charter Street power plants and prohibit the Board of Regents from assessing utility charges until those charges are approved by the Department of Administration. The power granted under (b) would differ from current law in that the bill would not specify that the UW-Madison Board of Trustees could seek private funding for the chair.

Additional current law power and duties of the UW System Board of Regents would not be provided to the UW-Madison Board of Trustees. These would include: (a) delay commencement of the fall semester until after September 1; (b) provision of services for educational study and research projects to school districts; (c) designate staff to coordinate compliance with state and federal environmental laws; (d) identify and collect significant state documents related to administration and academic programs; (e) promote public awareness of, access to, and training of health professionals in rural and underserved areas; (f) report on the expenditure of certain program revenues in excess of the amount shown in the appropriation schedule (another provision of the bill would delete this requirement for the UW System Board of Regents); (g) report on certain economic development programs funded administered by the Board; (h) conduct research on preschool through postsecondary education programs in cooperation with the Department of Public Instruction (DPI), the Wisconsin Technical College System Board (WTCS), and the Wisconsin Association for Independent Colleges and Universities; (i) categorize and report on management and staff positions; (j) work with WTCS, school districts, private school, tribal schools, and DPI to research and present models and approaches for improving school safety and reducing discipline problems in schools and school activities; (k) report on courses for which tuition covers 100% of costs; (L) prohibit the Board to offer, resell, or provide telecommunications services that are available from a private or other public carrier or entity; (m) pay dues to the Midwestern Higher Education Compact; (n) report on the number of limited appointments, concurrent appointments, and back-up positions; (o) review of contracts with research companies for conflicts of interest; and (p) carry on research and educational programs related to soil and water conservation and prepare an annual report on planned educational activities in this area.

[Bill Sections: 953, 961, 963, and 1087]

5. RULE MAKING

Governor: Provide that UW-Madison would be subject to statutes governing the promulgation of rules when making the following rules as would be required under the bill: (a) rules to protect the lives, health, and safety of persons on property under its jurisdiction and to protect such property and to prevent obstruction of the functions of the university; (b) rules for the management of all property under its jurisdiction, for the care and preservation thereof, and for the promotion and preservation of the orderly operation of the university in any or all of its authorized activities; (c) rules prescribing the times, places, and manner in which political literature may be distributed and political campaigning may be conducted in state-owned residence halls; and (d) rules regulating the parking of motor vehicles on property under its jurisdiction. Under the bill, UW-Madison would not be subject to statutes governing the promulgation of rules in all other cases.

[Bill Section: 2725]

6. ESTABLISHMENT OF TUITION

Governor: Provide that the Board of Trustees would establish tuition rates and that different tuition rates could be charged to different classes of students, summer sessions, and other studies or courses. Provide that the Board of Trustees would establish fees incidental to enrollment in educational programs or use of UW-Madison facilities. Under the bill, the UW-Madison authority would not be required to deposit tuition revenues in the state treasury and these revenues would not appear in the appropriation schedule.

Under current law, the UW System Board of Regents establishes tuition rates for different classes of students enrolled in UW System institutions, summer sessions, and other studies or courses as deemed advisable by the Board of Regents. Tuition increases for resident undergraduate students enrolled in UW System institutions are limited to an amount sufficient to fund all of the following: (a) in an odd-numbered year, the highest amount shown in the appropriation schedule for the tuition appropriation for that year in the Joint Finance Committee version of the budget bill, the engrossed budget bill, or the enrolled budget bill; (b) in an even-numbered year, the amount shown in the appropriation schedule for the tuition appropriation; (c) the approved recommendations of the Director of the Office of State Employment Relations for compensation and fringe benefits for classified and unclassified staff; (d) the projected loss in revenue caused by a change in the number of enrolled undergraduate, graduate, resident and nonresident students from the previous year; (e) state-imposed costs not covered by GPR as determined by the Board; (f) distance education, intersession, and nontraditional courses; and (g) differential tuition that is approved by the Board but not included in the tuition appropriation. These provisions would not apply to the UW-Madison authority. Under current law, tuition revenue is currently deposited in the state treasury and any interest earned on these amounts is deposited into the state's general fund.

[Bill Section: 1087]

7. ACCOUNTABILITY REPORT

Governor: Require the UW-Madison Board of Trustees to prepare an accountability report to provide for the evaluation of the quality and effectiveness of UW-Madison. Specify that the report would measure UW-Madison's performance in such areas as the access, affordability, student achievement, research, economic impact on the state, the services provided to the residents of the state, and the financial accountability of operations. Specify that this report would be submitted to the Governor and posted prominently on UW-Madison's website by July 1, 2013, and biennially thereafter.

[Bill Section: 1087]

8. CHANCELLOR AND VICE CHANCELLOR COMPENSATION

Governor: Provide that the Board of Trustees would appoint a chancellor to serve as the chief executive officer of UW-Madison and would determine the chancellor's compensation package. Delete the UW-Madison chancellor and vice chancellor from the UW System senior executive salary groups. Under current law, the UW System Board of Regents must establish salary ranges for university senior executives, including the UW-Madison chancellor and vice chancellor, based on an analysis of salaries paid for similar positions at comparable universities in other states. The salaries of these senior executives may not exceed to maximum of the salary range for the position. Under the bill, the amount of compensation the Board of Trustees could provide to UW-Madison chancellor, vice chancellor, or any other position would not be limited by statute.

[Bill Sections: 810, 811, and 1087]

9. CODE OF ETHICS

Governor: Provide that the chancellor and vice chancellor of UW-Madison would be state public officials and would have to adhere to the statutory code of ethics for such officials. Provide that the UW-Madison Board of Trustees would establish a code of ethics for all other employees. Under current law, the UW-Madison chancellor and vice chancellor are state officials subject to the statutory code of ethics. All other employees are subject to a code of ethics established by the UW Board of Regents.

[Bill Sections: 356 and 357]

10. EXECUTIVE APPOINTMENTS

Governor: Provide that an appointment to an executive position would be at the pleasure of the Board of Trustees. Specify that what constitutes an executive position would be determined by the Board of Trustees. Provide that a person who holds a tenured or academic staff appointment would not lose that appointment by accepting an executive appointment.

Under current law, an appointment to what is termed a limited position is at the pleasure of the Board of Regents. Limited positions are defined by statute to include the following positions: (a) president; (b) provost; (c) vice president; (d) associate vice president; (e) assistant vice president; (f) chancellor; (g) vice chancellor; (h) associate chancellor; (i) assistant chancellor; (j) associate vice chancellor; (k) assistant vice chancellor; (L) college campus dean; (m) secretary of the Board of Regents; (n) associate secretary of the Board of Regents; (o) assistant secretary of the Board of Regents; (p) trust officer; (q) assistant trust officer; and (r) such other administrative positions as the Board of Regents determines at the time of appointment. Current law provides that a person who holds a tenured or academic staff appointment does not lose that appointment by accepting a limited appointment.

[Bill Section: 1087]

11. FACULTY TENURE AND PROBATIONARY APPOINTMENTS

Governor: Create language related to faculty tenure and probationary appointments by the UW-Madison Board of Trustees that would be identical to current law under the UW System Board of Regents, except that: (a) the Board of Trustees would not be required to formally promulgate its rules for tenure, probationary appointments, or the dismissal of tenured faculty; (b) the Board of Trustees would not be required to consult with students in creating such rules; and (c) there would be no references to ranked and unranked faculty. In addition, provide that any person who holds a tenure appointment on the effective date of the bill would continue to hold tenure and any person who holds a probationary appointment on the effective date of the bill would continue to enjoy the contractual rights and guarantees of such an appointment.

[Bill Section: 1087]

12. ACADEMIC STAFF

Governor: Provide that a person having an academic staff appointment for a term could be dismissed prior to the end of the appointment term only for just cause and only after due notice and hearing. Specify that a person having an academic staff appointment for an indefinite term who has attained permanent status could be dismissed only for just cause and only after due notice and hearing.

Under current law, UW System academic staff members have the procedural guarantees that UW-Madison academic staff members would have under the bill. Current law also provides for the establishment of policies regarding probationary periods and other conditions of appointment, permits librarians to be appointed as ranked faculty, requires the Board of Regents to formally promulgate rules for dismissal, and creates a right to judicial review of dismissals. None of these provisions would be extended to the UW-Madison Board of Trustees with respect to academic staff at UW-Madison under the bill.

Define "academic staff" as those employees who were designated as academic staff when employed by the UW System and employees hired as or designated as academic staff by the

Board of Trustees. Under the UW System, "academic staff" is defined as professional and administrative personnel with duties that are primarily associated with higher education institutions or their administration, but does not include faculty. In addition the UW System Board of Regents is required to: (a) follow policies regarding the designation of positions as academic staff exempt from classified service; and (b) establish and maintain job categories and pay ranges for those job categories for academic staff positions. Under the bill, the UW-Madison Board of Trustees would not be required to do either.

[Bill Section: 1087]

13. SHARED GOVERNANCE

Governor: Provide that the UW-Madison Board of Trustees would be vested with the primary responsibility for the governance of the UW-Madison authority. Specify that the Board of Trustees should: (a) determine the educational programs to be offered by UW-Madison and may discontinue educational programs as it deems necessary; (b) appoint the chancellor, faculty, and other employees and fix the salaries, the duties, and the term of office for each; and (c) delegate to the chancellor the responsibility for the administration and operation of UW-Madison within the policies and guidelines established by the Board of Trustees. Specify that no sectarian or partisan tests or any tests based upon race, color, creed, religion, national origin, sex, disability, ancestry, age, sexual orientation, pregnancy, marital status, or parental status should ever be allowed or exercised in the appointment of UW-Madison employees. Under current law, the UW System Board of Regents is responsible for (a) to (c) above with regard to UW System institutions. Current law also specifies that no sectarian or partisan tests or any tests based upon race, religion, national origin, or sex shall ever be allowed or exercised in the appointment of UW System employees.

Provide that the chancellor of UW-Madison would: (a) be the executive head of the faculty and UW-Madison; (b) be vested with the responsibility of administering Board of Trustee policies; and (c) be accountable and report to the Board of Trustees on the operation and administration of UW-Madison. Specify that, subject to Board of Trustees policy and in consultation with the faculty, the chancellor is responsible for: (a) designing curricula and setting degree requirements; (b) determining academic standards and establishing grading systems; (c) defining and administering institutional standards for faculty peer evaluation and screening candidates for appointment, promotion, and tenure; (d) recommending individual merit increases; (e) administering associated auxiliary services; and (f) administering all funds allocated, generated, or intended for use of UW-Madison. In addition, specify that the chancellor may designate a provost to act as chief executive officer of UW-Madison in the chancellor's absence. Under current law, each chancellor of a UW System institution has the duties and responsibilities described above with respect to their institution. In addition, UW System chancellors are accountable to and must report to the UW System President.

Provide that the faculty, subject to the responsibilities and powers of the Board of Trustees and the chancellor, would be vested with the responsibility for the immediate governance of UW-Madison and would actively participate in UW-Madison policy development. Specify that

the faculty would have the primary responsibility for academic and educational activities and faculty personnel matters. Provide that the faculty would have the right to determine their own faculty organizational structure and to select representatives to participate in UW-Madison governance. Under current law, the faculty of each institution has the responsibilities and powers described above with respect to their institutions.

Provide that the academic staff, subject to the responsibilities and powers of the Board of Trustees, the chancellor, and the faculty, would be active participants for the immediate governance of UW-Madison and in UW-Madison policy development. Specify that the academic staff would have the primary responsibility for the formulation and review, and would be represented in the development, of all policies and procedures concerning the academic staff, including academic staff personnel matters. Provide that the academic staff would have the right to determine their own faculty organizational structure and to select representatives to participate in UW-Madison governance. Under current law, the academic staff of each institution has the responsibilities and powers described above with respect to their institutions.

Provide that the students, subject to the responsibilities and powers of the Board of Trustees, the chancellor, and the faculty, would be active participants in the immediate governance of and policy development for UW-Madison. Specify that the students would have the primary responsibility for the formulation and review of policies concerning student life, services, and interests. Specify that the students, in consultation with the chancellor and subject to the final confirmation by the Board of Trustees, would have the responsibility for the disposition of those fees that constitute substantial support for campus student activities. Provide that the students would have the right to organize themselves in a manner they determine and to select representatives to participate in UW-Madison governance. Under current law, the students of each institution have the responsibilities and powers described above with respect to their institutions.

[Bill Section: 1087]

14. OTHER APPOINTMENTS

Governor: Provide that the Board of Trustees would be able to make or authorize appointments for student assistants and employees in training, such as residents, interns, post-doctoral fellows, or trainees or associates. Specify that these appointments in addition to appointments for limited-term employees and project employees, would not have the procedural guarantees extended to the faculty and academic staff or the procedural guarantees extended to other employees under the personnel system developed by the Board of Trustees and implemented on July 1, 2012.

Under current law, the Board of Regents may make fixed term appointments for student assistants and employees in training, such as residents, interns, post-doctoral fellows, or trainees, or associates. Such appointments are not subject to the procedural guarantees extended to faculty and academic staff

[Bill Section: 1087]

15. CLASSIFIED EMPLOYEES

Governor: Provide that all classified employees transferred to the UW-Madison authority would have the rights and privileges of classified employees until July 1, 2012. Specify that, beginning on July 1, 2012, all Board of Trustees employees in the classified service who have achieved permanent status and who became Board of Trustees employees before July 1, 2012, could be dismissed only for just cause and only after due notice and hearing. Provide that the Board of Trustees would be able to make or authorize appointments for former classified service employees. Specify that all such appointments made on or after July 1, 2012, would have the procedural guarantees included in the personnel system developed by the Board of Trustees and implemented on that date.

[Bill Sections: 1087 and 9155(1)]

16. PERSONNEL SYSTEM

Governor: Require the Board of Trustees to develop and implement effective July 1, 2012, a personnel system that would be separate and distinct from the state's personnel system. Provide that the system would be developed and implemented with the active participation of the faculty and academic staff. Require that in developing the system, the Board provide for the transfer of classified civil service employees to the system as necessary on July 1, 2012.

[Bill Section: 1087]

17. AUTHORITY TO PROVIDE SALARY INCREASES

Governor: Current law specifies that the Board of Regents may only increase the salaries of continuing faculty, academic staff, and certain administrative positions as follows: (a) as provided in the pay plan approved for those positions by the Joint Committee on Employment Relations; (b) to correct for salary inequities; (c) to fund job reclassifications and promotions; and (d) to recognize competitive factors. In addition, the Board of Regents may only increase the salaries continuing senior executives as specified in (a), (b), and (d) above. Under the bill, the ability of the UW-Madison Board of Trustees to increase the salaries of continuing faculty, academic staff, administration positions, and senior executives would not be limited in this way.

[Bill Section: 1087]

18. TRANSFER UW SYSTEM EMPLOYEES AND COLLECTIVE BARGAINING AGREEMENTS

Governor: Transfer all UW System employees assigned to UW-Madison to the UW-Madison authority on the effective date of the bill. Provide that the UW-Madison authority would be considered a state agency for employment purposes until July 1, 2012. Require the UW-Madison authority to adhere to the terms of any collective bargaining agreement covering those employees, including terms relating to employer payment of any employee required

contributions to the Wisconsin Retirement System and employer payment of health insurance premiums, until July 1, 2012. Beginning on that date, the UW-Madison authority would establish the compensation and benefits of employees under the terms of the personnel system that would be established by the UW-Madison Board of Trustees.

[Bill Sections: 2751, 9152(1), and 9155(1)]

19. COLLECTIVE BARGAINING FOR CERTAIN UW-MADISON EMPLOYEES

Governor: Provide that UW-Madison faculty, academic staff, limited-term employees, sessional employees, project employees, supervisors, management, and persons who are privy to confidential matter affecting the employer-employee relationship, persons whose employment is a necessary part of their training, student assistants, and student hourly help would not be represented employees under the State Employment Labor Relations Act (SELRA). Provide that all other UW-Madison employees would be represented under the SELRA, subject to the following provisions.

Provide that the UW-Madison would be the employer of represented UW-Madison staff for the purposes of collective bargaining and would be responsible for the employer function under SELRA. Exclude UW-Madison collective bargaining activities from a current law requirement that the Office of State Employment Relations (OSER) notify and consult with the Joint Committee on Employment Relations regarding substantial changes in wages, employee benefits, personnel management, and program policy contract provisions to be included in any contract proposal to be offered to any labor organization by the state or to be agreed to by the state before such proposal is actually offered or accepted. Provide that any tentative agreement reached between the UW-Madison, acting for the state, and any UW-Madison labor organization, would, after official ratification by the labor organization, be executed by the parties.

Provide that collective bargaining units at UW-Madison would be structured with one or more units for each of the following groups: (a) program assistants, project assistants, and teaching assistants; (b) research assistants; and (c) all other employees with collective bargaining rights. Remove UW-Madison program, project, teaching, and research assistants from current law bargaining units that include those assistants. Maintain these collective bargaining units for similar assistants employed through UW-Extension.

Provide that additional current law provisions related to collective bargaining, would also apply to UW-Madison and UW-Madison employees. These provisions include petitions for recognition, assignment of employees to collective bargaining units by the Employment Relations Commission, unfair labor practices, execution of agreements, agreement provisions superseding other rules and policies, civil service protections for unrepresented employees, and the use of authorization cards by research assistants in forming collective bargaining units.

[Bill Sections: 750, 2411 thru 2419, 2421 thru 2424, 2426, 2427, and 2429 thru 2431]

20. PARTICIPATION IN EMPLOYEE TRUST FUND PROGRAMS

Governor: Provide that employees of the UW-Madison authority would have the same employee benefits, including retirement, group health insurance, and other fringe benefits, as they do under current law as UW System employees by: (a) including the UW-Madison in the definitions of "state agency" and "university" under the public employee trust fund chapter (Chapter 40); (b) providing that a graduate assistant and other employees-in-training as designated by the UW-Madison Board of Trustees would be eligible for group health insurance coverage provided by the Group Insurance Board; (c) including UW-Madison faculty under the current law provisions relating to sabbatical leave earnings for university faculty that apply for WRS purposes; (d) including income continuation insurance premium provisions for certain teachers in the unclassified service employed by the UW-Madison; (e) providing that certain student assistants, employees-in-training and visiting teachers are excluded from participation in the WRS; and (f) maintaining the protective occupation status of full-time police officers at UW-Madison.

[Bill Sections: 1137, 1138, 1141 thru 1143, 1152, 1154, 1155, and 1159]

21. SICK LEAVE AND HEALTH INSURANCE PREMIUM CREDITS

Governor: Provide that sick leave would be regulated by Board of Trustees policy except that unused sick leave would accumulate from year to year. Provide that current law regarding the conversion of accumulated unused sick leave to health insurance premium credits for faculty and academic staff employed by UW System institutions would also apply to faculty and academic staff at UW-Madison. Provide that the Department of Employee Trust Funds would continue to administer the health insurance premium credits program for UW-Madison faculty, academic staff, and executives until June 30, 2012. Under current law, the health insurance premium credits are used to purchase health insurance for retired employees. In general, credits are based on the employee's years of continuous service and accumulated unused sick leave. The bill does not specify how or if this program would be administered for retired UW-Madison authority faculty, academic staff, and executives after June 30, 2012.

[Bill Sections: 1087, 1148 thru 1150, and 9155(1)]

22. DUAL EMPLOYMENT

Governor: Provide that UW-Madison employees would be exempt from a statutory provision prohibiting full-time employees of one agency or authority from holding a position in another agency or authority for which the employee receives more than \$12,000 in compensation in any year.

[Bill Sections: 216, 217, and 9455(1)]

23. MISCELLANEOUS PROVISIONS APPLICABLE TO UW-MADISON

Governor: Provide that provisions similar to current law under the UW System Board of

Regents related to the following, would apply to the UW-Madison authority: (a) student identification numbers; (b) use of animals for research purposes; (c) accommodation of religious beliefs; (d) nutritional improvement for the elderly; (e) power to suspend or expel students for misconduct; (f) campus security; (g) termination of appointments in the case of financial emergency; (h) conflict of interest; and (i) discrimination against students.

Under (e), specify that the Board of Trustees would adopt policies whereas the UW System Board of Regents is required to formally promulgate rules.

[Bill Sections: 529, 1087, and 1097]

24. MISCELLANEOUS PROVISIONS NOT APPLICABLE TO UW-MADISON

Governor: Omit from the chapter that would create the UW-Madison authority current law language under the UW System Board of Regents related to the following: (a) coordination with other educational agencies; (b) grants for study abroad; (c) prohibition of complimentary and reduced price tickets; (d) reporting on GPR funded research; (e) reporting on auxiliary enterprises reserve funds and approval by DOA and the Joint Committee on Finance; (f) reporting on employment harassment and discrimination claims; (g) information technology project reporting and other requirements; and (h) legislative authorization of any new school or college.

25. REPRESENTATION OF UW-MADISON ON BOARDS AND COUNCILS

Governor: Provide that the chairperson of the UW-Madison Board of Trustees or a designee from the Board would serve as a member of Wisconsin Technical College System (WTCS) Board and increase the number of WTCS Board members from 13 to 14. Provide that the chairperson of the UW-Madison Board of Trustees or a designee would serve on the College Savings Program Board under the Department of Administration. Provide that one member of the UW-Madison Board of Trustees would serve on the Higher Educational Aids Board.

Provide that the UW-Madison chancellor or designee would serve on the Medical Education Review Board instead of the UW System President under current law. Provide that one UW-Madison representative who is a teacher participant in WRS would serve as a member of the Teachers Retirement Board and increase the number of members on that board from 13 to 14. Provide that a representative of UW-Madison appointed by the UW-Madison Board of Trustees would serve on the Natural Areas Preservation Council. Provide that at least one and no more than two UW-Madison School of Education faculty members or faculty members from another UW-Madison department would serve on the Professional Standards Council for Teachers. These faculty members would be recommended by the chancellor, nominated by the State Superintendent, and subject to Senate confirmation. Provide that a UW-Madison or UW System faculty member with expertise regarding the health impacts of wind energy systems would be appointed by the Public Service Commission to the wind siting council.

[Bill Sections: 93, 122 thru 124, 127, 128, 170, 171, 177, 178, and 1106]

Funding for UW-Madison Authority

1. UW-MADISON AUTHORITY GENERAL PROGRAM OPERATIONS

GPR	\$698,498,600
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Governor: Create a section called "University of Wisconsin-Madison" in the appropriation schedule. Create a GPR appropriation for general program operations and provide \$345,749,300 in 2011-12 and \$352,749,300 in 2012-13, prior to the funding reductions in the following two entries. These amounts are the net of a transfer from the UW System of \$351,419,900 annually and a reduction of \$5,670,600 in 2011-12 and an increase of \$1,329,400 in 2012-13.

[Bill Section: 542]

2. INCREASE EMPLOYEE CONTRIBUTIONS FOR PENSIONS AND HEALTH INSURANCE

GPR	- \$42,125,600
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Governor: Delete \$21,062,800 annually to reflect fringe benefit cost reductions associated with increased state employee contributions for Wisconsin Retirement System (WRS) benefits and health insurance coverage. Delete funding from the following appropriations: general program operations (\$20,302,300 annually); State Laboratory of Hygiene (\$501,100); and Veterinary Diagnostic Laboratory (\$259,400). The calculation of retirement savings is based on employee WRS contributions equal to 5.8% of salary. Health insurance cost reductions are based on employees paying an average of approximately 12.6% of total premium costs, compared to the current average of approximately 6% of costs.

3. BASE BUDGET REDUCTION

GPR	- \$125,000,000
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Governor: Delete \$62,500,000 annually from the general program operations appropriations for the UW-Madison authority.

4. GPR DEBT SERVICE

GPR	\$146,462,900
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Governor: Create an appropriation for principal repayment and interest and provide \$38,184,300 in 2011-12 and \$108,278,600 in 2012-13 debt service costs on state general obligation bonds and commercial paper debt issued for UW-Madison. The GPR debt service appropriation under the UW System would be reduced by an equivalent amount. The amounts provided for UW-Madison are the net of a current law debt reestimate and a proposed GPR debt restructuring.

[Bill Section: 542]

5. FUEL AND UTILITIES

GPR	\$131,787,200
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Governor: Create an appropriation for energy costs and provide \$62,172,200 in 2011-12 and \$69,615,000 in 2012-13. These amounts are the net of a transfer from the UW System of \$78,545,200 annually and a reduction of \$16,373,000 in 2011-12 and \$8,930,200 in 2012-13 related to projected decreases in fuel and utility costs.

[Bill Section: 542]

6. STATE LABORATORY OF HYGIENE

GPR	\$19,750,800
PR	<u>3,238,400</u>
Total	\$22,989,200

Governor: Require the UW-Madison Board of Trustees to maintain the State Laboratory of Hygiene (SLH). Create a GPR appropriation for SLH general program operations and provide \$9,875,400 annually, prior to the funding reduction of \$501,100 annually shown under the entry relating to employee contributions for pensions and health insurance. The amount provided is the net of base funding (\$9,584,700 annually) and standard budget adjustments (\$791,300 annually) transferred from the UW System and a reduction of \$500,600 annually. Create a program revenue appropriation for moneys transferred from the driver improvement surcharge for implied consent testing and provide \$1,619,200 annually. Under the bill, an additional \$21,871,300 PR annually would be deleted related to the transfer of SLH from the UW System. UW-Madison would not be required to deposit these funds in the state treasury and these revenues would not appear in the appropriation schedule.

[Bill Sections: 548, 556, 655, 975, 2882, and 3085]

7. ELIMINATE STATE LABORATORY OF HYGIENE BOARD

Governor: Eliminate the State Laboratory of Hygiene (SLH) Board. Specify that the UW-Madison Board of Trustees would appoint the SLH director and other staff members as required for its administration. Under current law, the SLH director and administrative staff are appointed by the SLH Board and all the other employees are employed by the SLH director under the classified service law. Delete the current law reference to the SLH Board from the requirement that the SLH submit a budget request to the Department of Administration and current law language specifying only limited-term employees may be hired to assist the Department of Health Services in the case that the Governor declares a public health emergency.

[Bill Sections: 174, 975, 2876 thru 2878, and 2882]

8. VETERINARY DIAGNOSTIC LABORATORY

GPR	\$10,555,200
PR	<u>9,560,000</u>
Total	\$20,115,200

Governor: Establish the Veterinary Diagnostic Laboratory under the UW-Madison authority. Create a GPR appropriation for the Veterinary Diagnostic Laboratory and provide \$5,277,600 annually, prior to the funding reduction of \$259,400 annually shown under the entry relating to employee contributions for pensions and health insurance. The amount provided is the sum of base funding (\$4,712,100 annually) and standard budget adjustments (\$343,000 annually) transferred from the UW System

and an increase of \$222,500 annually. Create a PR appropriation for veterinary diagnostic laboratory fees and provide \$3,948,900 annually; create a PR appropriation for moneys received by the Veterinary Diagnostic Laboratory from other state agencies and provide \$831,100 annually. Under the bill, \$1,675,900 FED annually would be deleted from the UW System related to the Veterinary Diagnostic Laboratory. UW-Madison would not be required to deposit these funds in the state treasury and these revenues would not appear in the appropriation schedule.

[Bill Sections: 549, 558, 565, 571, 800, 1020, and 1022 thru 1026]

9. ELIMINATE VETERINARY DIAGNOSTIC LABORATORY BOARD

Governor: Eliminate the Veterinary Diagnostic Laboratory (VDL) Board. Specify that the UW-Madison chancellor would appoint the VDL director. Delete the current law requirement that the VDL board submit a budget request to the Department of Administration and statutory language granting certain rights to classified staff members who were employed by VDL prior to its transfer to the UW System.

[Bill Sections: 173, 1021, and 1023 thru 1025]

10. GIFTS, GRANTS, AND BEQUESTS

Governor: Provide that the all gifts, grants, and bequests made to UW-Madison or any of its departments or facilities should be executed and enforced according to the wishes of the donor. This provision would be identical to current law under the UW System Board of Regents except that under the Board of Trustees: (a) there would be no limit on the accumulation of income from gifts, grants, and bequests; (b) there would be no limit on the amount of trust funds that could be invested in common stocks; (c) the Board would be able to accept gifts of real property in excess of \$30,000, buildings, and structures without the approval of the Building Commission or DOA; and (d) specific language related to a golf course would be omitted. In addition, the Board of Trustees would be able to transfer any grant, contract, gift, endowment, or trust or segregated funds bequeathed or assigned to UW-Madison to the University of Wisconsin Foundation, Inc., if the transfer is consistent with its terms. These funds would not appear in the appropriation schedule.

[Bill Section: 1087]

11. PROGRAM REVENUE DEBT SERVICE APPROPRIATION

PR	\$85,706,900
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Governor: Create a sum sufficient appropriation for program revenue debt service and provide \$40,629,000 in 2011-12 and \$45,077,900 in 2012-13. The appropriation would be similar to current law under the UW System and would specify debt service payment rates for UW-Madison intercollegiate athletics facility maintenance projects. Under the bill, \$31,760,000 annually would be transferred to the proposed UW-Madison authority from the UW System's appropriation from program revenue debt service.

Under current law, the UW System's appropriation for program revenue debt service refers to current law appropriations for auxiliary enterprises and services provided to the UW Hospitals and Clinics Authority (UWHCA). Under the bill, the UW-Madison appropriation would refer only to the appropriation for services provided to UWHCA as an appropriation for auxiliary enterprises would not be created. To clarify the source of revenues for this appropriation, the bill should be modified to permit funds generated from UW-Madison's auxiliary enterprises to be deposited in this account.

[Bill Sections: 181, 542, 779, 800, and 801]

12. UW HOSPITALS AND CLINICS AUTHORITY AGREEMENTS

PR	\$71,280,000
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Governor: Transfer the lease and affiliation agreements between the UW System Board of Regents and the University of Wisconsin Hospitals and Clinics Authority to the UW-Madison Board of Trustees. Create a PR appropriation for services provided to UWHCA and provide \$35,640,000 annually. Under the bill, \$4,644,600 annually for services received from UWHCA would be transferred from the UW System. UW-Madison would not be required to deposit these funds in the state treasury and these revenues would not appear in the appropriation schedule.

Recreate statutory language related to UWHCA that would be deleted under the UW Board of Regents under the UW-Madison Board of Trustees. Modify current law to specify that three members of the UW-Madison Board of Trustees appointed by the chairperson of that board would serve as members of the UWHCA board. Under current law, three members of the UW System Board of Regents appointed by the President of that board serve on the UWHCA board.

[Bill Sections: 179, 245, 582, 584, 952, 955 thru 957, 978, 1087, 2648, and 9152(1)]

13. DEBT SERVICE RELATED TO UW-MADISON POWER PLANTS

PR	\$11,809,900
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Governor: Create an appropriation for moneys received from UW-Madison for debt service payments related to the Walnut Street steam and chilled-water plant and the Charter Street heating and cooling plant and provide \$5,909,300 in 2011-12 and \$5,900,600 in 2012-13. Create an appropriation for moneys received from the UW Hospitals and Clinics Authority and agencies of the federal government for debt service payments related to the Walnut Street steam and chilled-water plant and the Charter Street heating and cooling plant. Provide no funding in this appropriation. Under the bill, \$11,799,200 would be deleted under the UW System related to these appropriations.

[Bill Sections: 181, 560, 566, and 800]

14. MELLON FOUNDATION GRANT MATCHING FUNDS

PR	\$2,000,000
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Governor: Create an all moneys received appropriation for

Mellon Foundation grant matching funds and estimate revenues at \$1,000,000 annually. Specify earnings on tuition would be deposited in this appropriation rather than the state's general fund.

[Bill Section: 542]

15. PHYSICIAN AND HEALTH CARE PROVIDER LOAN ASSISTANCE PROGRAMS

PR	\$977,400
SEG	<u>500,000</u>
Total	\$1,477,400

Governor: Create a physician loan assistance program, a health care provider loan assistance program, and an expanded loan assistance program. These programs would be identical to current law programs under the UW System Board of Regents except that: (a) dentists and dental hygienists would not be eligible to participate; and (b) the Board of Trustees would not be required to formally promulgate rules related to these programs. Under the bill, dentists and dental hygienists would be eligible to participate in loan assistance programs under the UW System Board of Regents. Create a PR revenue appropriation to support these programs and provide \$488,700 annually from tribal gaming revenues. Create a SEG revenue appropriation and provide \$250,000 annually transferred from the critical access hospital assessment fund.

[Bill Sections: 542, 652, 745, 1029 thru 1033, 1036, 1038, 1039, 1059 thru 1062, 1087, 1437, and 1662]

16. FUNDS FROM OTHER STATE AGENCIES

Governor: Create an all moneys received appropriation for funds transferred from other state agencies. Specify that moneys received would be used to carry out the purposes for which they were received. Provide no moneys in this appropriation.

[Bill Section: 542]

17. UNIVERSITY TRUST FUNDS

SEG	\$42,320,000
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Governor: Create an appropriation for University trust funds and provide \$21,160,000 annually. In addition, credit all real property and moneys related to the operation of UW-Madison, as determined by the Secretary of Administration, that would be transferred from trust funds controlled by the UW System Board of Regents to this appropriation. Delete this appropriation on July 1, 2013. Under another provision of the bill, the Board of Trustees would be able to transfer related property and moneys received from the UW System Board of Regents to the University of Wisconsin Foundation, Inc., provided the transfer is consistent with its terms of that property and those moneys.

[Bill Sections: 542, 543, 9152(1), and 9455(2)]

18. WISCONSIN BIOENERGY INITIATIVE

SEG	\$7,120,000
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Governor: Create an appropriation for the Wisconsin Bioenergy Initiative and provide \$3,560,000 annually transferred from the recycling and renewable energy fund. Specify that the funding provided would be used to support research under the Wisconsin Bioenergy Initiative into improved plant biomass, improved biomass processing, conversion of biomass into energy products, development of a sustainable energy economy, and development of enabling technologies for bioenergy research. Under current law, \$4,050,000 annually is provided to the UW System Board of Regents for this purpose of which \$3,560,000 is allocated to UW-Madison, \$440,000 is allocated to UW-Stevens Point, and \$50,000 is allocated to UW-Green Bay. Under the bill, \$490,000 would be provided to the UW System Board of Regents in each year of the biennium for this purpose.

Under another provision of the bill, the recycling and renewable energy fund would be renamed the environmental fund. The bill modifies the reference under the UW System to reflect this change; however, a technical amendment is needed to correct the reference under the appropriation under UW-Madison.

[Bill Section: 542]

19. RURAL PHYSICIAN RESIDENCY PROGRAM

SEG	\$1,500,000
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Governor: Create an appropriation for the rural physician residency assistance program and provide \$750,000 annually from the critical access hospital fund. Create language related to the program that would be identical to current law language under the UW System Board of Regents; under the bill, the language under the UW System Board of Regents and a related appropriation would be deleted.

[Bill Sections: 572 and 1086]

20. ENVIRONMENTAL PROGRAM GRANTS

SEG	\$200,000
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Governor: Create an appropriation for environmental program grants and provide \$100,000 annually from income and interest from the normal school fund for need-based grants to students who are members of underrepresented groups and who are enrolled in a certificate or bachelor's degree program from the UW-Madison Nelson Institute for Environmental Studies.

[Bill Sections: 542, 866, and 1014]

21. GRANTS FOR FORESTRY PROGRAMS

SEG	\$100,000
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Governor: Create an appropriation for grants for forestry programs and provide \$50,000 annually transferred from the conservation fund. Require the Board of Trustees to maintain a center for cooperatives and specify that the center may award grants from the appropriation. The proposed language related to the grant program would be

identical to current law under the UW System Board of Regents except that language related to the use of grant funds for administrative expenses would not be recreated.

[Bill Sections: 542, 876, 962, 1017 thru 1019, and 1752]

22. RECEIPT OF FEDERAL FUNDS

Governor: Provide that the Board of Trustees may accept federal funds for instruction, extension, special projects, or emergency employment opportunities on behalf of the state. Specify that certain statutory provisions related to the acceptance of federal funds would not apply to such funds. These provisions include including the approval of a budget, plan, application or proposal by the Governor, the report of a budget, plan, application, or proposal to the Joint Committee on Finance, and the creation of federally-funded positions by the Governor. Require the Board of Trustees to comply with Congressional requirements and federal regulations, provided that those regulations are consistent with state law, when federal funds are accepted. Permit the Board of Trustees to submit any plan, budget, application or proposal as required a federal agency and perform of any act not inconsistent with state law required by Congress or the federal agency to carry out the purpose for which the moneys were provided. These provisions would be identical to current law related to the acceptance of federal funds for instruction, extension, special projects, or emergency employment opportunities by the UW System Board of Regents.

Provide that the UW-Madison authority would not be subject to current law governing the receipt of federal indirect cost reimbursement by state agencies, including the UW System. These provisions include: (a) the transfer of unused reimbursements to the general fund; (b) the deposit of such reimbursement payments with the state treasurer; (c) participation in a statewide indirect cost allocation; and (d) the submission of indirect cost allocation plans to the Department of Administration.

Under the bill, \$880,297,800 FED annually would be transferred from the UW System Board of Regents related to the UW-Madison authority. These funds would not appear in the appropriation schedule.

[Bill Sections: 225 thru 227]

23. DEPOSIT OF FEDERAL AND OTHER PROGRAM REVENUES IN THE LOCAL-GOVERNMENT POOLED INVESTMENT FUND

Governor: Require the Board of Trustees to deposit daily all federal revenues and all program revenues for which there is not an appropriation, except for gifts, grants, and donations, in the local-government pooled investment fund administered by the state Investment Board.

[Bill Sections: 895 thru 897]

Tuition and Special Programs

1. NONRESIDENT TUITION EXCEPTIONS AND OTHER TUITION REMISSIONS

Governor: Create statutory language to provide the following: (a) tuition exemptions for persons at least 60 years old; (b) determination of residency status for tuition purposes and appeals; (c) tuition remissions for needy and worthy nonresident students, nonresident students deserving of relief, needy and worthy foreign students, and athletes; (d) nonresident and resident tuition remissions for faculty, instructional staff, and assistants, including graduate assistants; (e) tuition remissions for the survivors of correctional officers, EMTs, fire fighters, and law enforcement officers; and (f) tuition remissions for funeral assistants. These provisions would be identical to current law under the UW System Board of Regents except that there would be no limit on remissions granted under (c) and no appropriation would be provided under the UW-Madison Board of Trustees to fund remissions granted under (e). Specify that these provisions would no longer apply if the Board of Trustees adopts a resolution to that effect or on July 1, 2013, in the absence of such a resolution.

[Bill Sections: 1087, 1108, 1110, and 1270]

2. TUITION REMISSIONS FOR VETERANS AND CERTAIN DEPENDENTS

Governor: Require the UW-Madison Board of Trustees to grant a full remission of fees for 128 credits or eight semesters, whichever is longer, less the number of credits or semesters for which the person received remission of tuition and fees from any technical college and the UW System Board of Regents, but not less the amount of any tuition or segregated fees paid under the federal Post-9/11 G.I. Bill, to certain veterans, children, and spouses. Before granting a remission of tuition and segregated fees to an eligible veteran, child, or spouse, the UW-Madison Board of Trustees would have to require the student who is an eligible veteran, child, or spouse to apply to the payment of fees all educational assistance to which the student is entitled under the federal Post-9/11 G.I. Bill. This provision would apply even if the student is eligible for benefits under the Montgomery G.I. Bill or certain other federal education programs for veterans and dependents unless the student is eligible for 12 months or less of benefits under those programs. Require HEAB to reimburse, in whole or in part, the UW-Madison Board of Trustees for remissions granted to veterans, children, and spouses and for reimbursements paid to veterans, children, and spouses.

The proposed statutory language, including eligibility requirements, limitations on use, reimbursement payments to students, and reimbursements from Higher Educational Aids Board (HEAB), would be similar to current law providing for tuition remissions for veterans and certain dependents under the University of Wisconsin System and the Wisconsin Technical College System, as modified under the bill (see "University of Wisconsin System" and "Wisconsin Technical Colleges System" for information related to the modification related to tuition remissions for veterans and certain dependents.)

Specify that these provisions would no longer apply if the Board of Trustees adopts a resolution to that effect or on July 1, 2013 in the absence of such a resolution.

[Bill Sections: 519, 1087, 1134 thru 1136, 1240, and 1241]

3. ELIGIBILITY FOR CERTAIN FINANCIAL AID PROGRAMS

Governor: Provide that UW-Madison students would be eligible for the following financial aid programs administered by the Higher Educational Aids Board: (a) the minority teacher loan program; (b) the academic excellence scholarship program (AES); and (c) the Wisconsin higher education grants program for UW System students. Provide that the matching requirement under the AES program for UW-Madison would be satisfied in the same manner as under current law for the UW System. Under current law, UW-Madison students are eligible for these programs as students of the UW System.

In addition, provide that UW-Madison would continue to be a qualifying school for the purpose of tuition reimbursement grants under the Department of Military Affairs and for the postsecondary education income tax credit, corporate income tax credit, and insurance company tax credit.

[Bill Sections: 1113 thru 1118, 1882, 2012, 2123, and 3083]

4. TUITION GIFT CERTIFICATES

Governor: Provide that the Board of Trustees may establish a tuition gift certificate program. This provision would be identical to current law under the UW System Board of Regents except that: (a) the Board of Trustees would not be prohibited from charging more than the actual processing cost as a fee for each sale of a gift certificate; and (b) the Board of Trustees would not be required to deposit moneys received in an appropriation.

[Bill Section: 1087]

5. AGRICULTURAL DEMONSTRATION STATIONS AND EXPERIMENTS

Governor: Permit the Board of Trustees to: (a) establish demonstration stations for the purpose of aiding in agricultural development through the College of Agriculture and Life Sciences (CALS); (b) authorize experimental work in agriculture at points within the state and carry on demonstrations; and (c) to conduct extension schools and courses in agricultural education. Require the Board of Trustees to foster research and experimentation in the control of bovine brucellosis under the supervision of the CALS dean. This language is identical to current law that would be deleted under the UW System Board of Regents except for the omission of a reference to an appropriation for the payment of contracts.

[Bill Section: 965]

6. AODA PREVENTION AND INTERVENTION PROGRAMS

Governor: Require the Board of Trustees to appoint alcohol and drug abuse (AODA) prevention and intervention program counselors for UW-Madison. The counselors would develop AODA prevention and intervention programs and train faculty, academic staff, and classified staff in the prevention of and early intervention in alcohol and other drug abuse. Under the bill, \$75,700 GPR annually for AODA prevention and intervention programs would be transferred from the UW System. The bill does not create an appropriation to fund such programs; it is assumed that these funds would be deposited in the UW-Madison authority's GPR general program operations appropriation.

[Bill Section: 1087]

7. AREA HEALTH EDUCATION CENTER

Governor: Require the UW-Madison Board of Trustees to maintain an area health education center at UW-Madison to support community-based primary care training programs. Under the bill, \$1,143,000 GPR annually would be transferred from the UW System to the proposed UW-Madison authority related to the area health education centers. These funds would be deposited in UW-Madison's appropriation for general program operations.

[Bill Section: 991]

8. BREAST CANCER AND PROSTATE CANCER RESEARCH

Governor: Provide that 50% of the proceeds from the breast cancer research income tax check-off, less administrative costs, would be paid to UW-Madison for breast cancer research conducted by the UW Carbone Cancer Center. Provide that 50% of the proceeds from the prostate cancer research income tax check-off, less administrative costs, would be paid to UW-Madison for prostate cancer research projects. Specify that these funds could not be used to supplant funds available from other sources for breast cancer research or prostate cancer research. Require the Board of Trustees to report annually by January 1 to the appropriate standing committees of the Legislature and the Governor on the breast cancer and prostate cancer research projects conducted with these funds. Under the bill, \$309,200 annually from revenues generated by income tax check-offs for breast cancer and prostate cancer research would be transferred to the UW-Madison authority from the UW System. UW-Madison would not be required to deposit these funds in the state treasury and these revenues would not appear in the appropriation schedule.

[Bill Sections: 1888, 1889, and 2891 thru 2894]

9. CENTER FOR URBAN LAND ECONOMICS RESEARCH

Governor: Require the Board of Trustees to establish a center for land economics research in the School of Business to conduct research and undertake educational, public

outreach, and grant activities related to real estate and urban land economics. Provide that funding for the center for land economics research would come from a \$10 surcharge on real estate license renewals as under current law. Under the bill, \$251,700 annually would be transferred to the UW-Madison authority from the UW System related to the center for urban land economics research. UW-Madison would not be required to deposit these funds in the state treasury and these revenues would not appear in the appropriation schedule.

[Bill Sections: 989 and 3258]

10. CLEARING CUTOVER LANDS

Governor: Authorize the Board of Trustees to investigate methods of clearing cutover lands, to perform experiments and demonstrations related to such methods, and to provide related services to individual citizens at cost through the College of Agricultural and Life Sciences. This is identical to current law that would be deleted under the UW System Board of Regents.

[Bill Sections: 973 and 1087]

11. DISTINGUISHED PROFESSORSHIPS

Governor: Provide that the Board of Trustees could establish distinguished professorships and could pay the salary and fringe benefits, equipment, supplies, and travel costs of any such professor and of any graduate assistant assigned to such a professor. This provision would be identical to current law under the UW System Board of Regents, except that current law specifies appropriations from which distinguished professorship costs may be paid and specifies that at least three of the professors awarded distinguished professorships after 1989 cannot have been employed by the Board of regents when awarded the position.

[Bill Section: 1087]

12. LAWTON GRANTS

Governor: Require the Board of Trustees to establish a grant program for minority undergraduate students to be known as the Lawton grant program. This program would be identical to the current Lawton grants under the UW System Board of Regents, except that under the bill the Board of Trustees would not be required to award the grants from a specific appropriation. Under the bill, the UW System Board of Regents would transfer \$1,478,100 GPR annually from its appropriation for the Lawton minority undergraduate grant program to the UW-Madison authority as part of the funding provided under the UW-Madison authority's GPR general program operations appropriation.

[Bill Section: 1087]

13. LICENSE PLATE SCHOLARSHIP PROGRAM

Governor: Require the Board of Trustees to establish a scholarship program funded by additional fees charged by the Department of Transportation for UW-Madison license plates and create an appropriation under the Department of Transportation for payments to UW-Madison. Under the program, scholarships would be awarded by the chancellor according to criteria developed by the chancellor. Specify that the UW-Madison chancellor would be consulted in the design of the UW-Madison license plate. Under the bill, the UW-Madison authority would not be required to deposit these revenues in the state treasury and they would not appear in the appropriation schedule.

[Bill Sections: 621, 879, 1008, 1087, 3098 thru 3102, and 3106]

14. SCHOOLS OF BUSINESS

Governor: Require the Board of Trustees to use the funds appropriated in UW-Madison's GPR general program operations appropriation to support improvements in master's level business programs. Specify that the Board of Trustees could spend funds from that appropriation for this purpose only if it received matching funds for the same purpose from private contributions. This would be similar to current law under the Board of Regents except that current law references a GPR appropriation and a PR appropriation created specifically for this purpose. A clarifying amendment may be needed to accomplish the intent of the provision.

[Bill Section: 1087]

15. STATE CARTOGRAPHER, PSYCHIATRIC RESEARCH INSTITUTE, AND STATE GEOLOGIST

Governor: Require the Board of Trustees to appoint the state cartographer, the director of the psychiatric institute, and the state geologist and create statutory language related to the state cartographer and the psychiatric research institute. These provisions would be identical to current law under the UW System Board of Regents that would be deleted under the bill. The state geologist would continue to carry out current law responsibilities including supervision of the geological and natural history survey under the UW System Board of Regents.

[Bill Sections: 970, 971, 976, 977, and 1087]

16. USE OF FACILITIES BY THE EDUCATIONAL COMMUNICATIONS BOARD

Governor: Authorize the Board of Trustees to grant the Educational Communications Board (ECB) part-time use of equipment and space necessary for the operations of the state educational radio and television networks pursuant to the affiliation agreement between ECB and the UW System Board of Regents. Permit the Board of Trustees to rent space on the Madison public broadcast transmission tower to ECB and to other public and commercial broadcasters.

[Bill Sections: 969 and 1087]

17. UW SCHOOL OF MEDICINE AND PUBLIC HEALTH PROGRAMS

Governor: Require the Board of Trustees to allocate \$400,000 annually from its GPR general program operations appropriation to the department of family medicine and practice in the University of Wisconsin School of Medicine and Public Health to support the following programs: (a) the Wisconsin Academy for Rural Medicine; (b) the Academy for Center-city Medical Education; and (c) the Wisconsin Scholars Academy programs. Specify that the Board may not expend the funds allocated in any fiscal year unless \$400,000 in gifts and grants from private sources are received to support the programs.

Under current law, the UW System Board of Regents is required to allocate \$400,000 annually from a GPR appropriation for the department of family medicine and practice. Under the bill, this appropriation and the related statutory language would be deleted and the funds would be transferred to the UW-Madison authority. The bill does not create an appropriation for the department of family medicine and practice under the UW-Madison authority; it is assumed that these funds would be deposited in the UW-Madison's authority's GPR general program operations appropriation.

In addition, replace all references to the University of Wisconsin-Madison Medical School with references to the University of Wisconsin School of Medicine and Public Health.

[Bill Sections: 28 thru 31, 72, 176, 180 thru 182, 980, 1107, 1111, 1272, 1275, and 2793 thru 2795]

18. SPECIAL PROGRAMS

Governor: Create the following special programs at the UW-Madison authority: (a) Wisconsin resident preference in housing; (b) solid waste experiment centers; (c) military instruction; (d) integrated agriculture; and (e) meningococcal disease and hepatitis B information program. The statutory language creating these programs would be identical to current law under the UW System.

Recreate the following special programs located at UW-Madison that would be deleted under the UW System: (a) water resources research; (b) the School of Veterinary Medicine; (c) a model school for children with disabilities; (d) a Great Lakes Indian law program; (e) the Robert M. La Follette Institute of Public Affairs; (f) agricultural technology and family farm programs; (g) the herbarium; (h) a distinguished chair of military history; and (i) the career conversations program. In addition, recreate special program requirements related to the UW Law School, which is located at UW-Madison.

Create a grant program for minority and disadvantaged graduate programs enrolled at UW-Madison and precollege, recruitment, and retention programs for minority and disadvantaged students. The statutory language creating these programs would be identical to current law language under the UW System except that grants to graduate students would be funded through the UW-Madison's GPR general program operations appropriation instead of an appropriation specifically for that purpose. The language creating the programs for minority and

disadvantaged students references an appropriation that would not be created under the bill, which needs a technical correction.

[Bill Sections: 972, 981 thru 985, 988, 990, 992, 993, and 1087]

Building Program

1. ACCESS TO PUBLIC DEBT

Governor: Modify the purpose of the Building Commission appropriation for public debt for UW System self-amortizing facilities to include public debt for UW-Madison self-amortizing facilities. This provision would allow UW-Madison to have access to state bonding for its program revenue supported facilities. Under the bill, the purpose of the Building Commission appropriation for general fund supported public debt for UW System academic facilities would not be modified to include UW-Madison academic facilities. This would mean that UW-Madison would not have access to general fund supported borrowing for those facilities. According to the drafter, this appropriation should also have been modified.

Provide that UW-Madison would be able to access state bonding for energy conservation projects. In addition, provide that UW-Madison projects would be eligible for state bonding through the WiSTAR and Wisbuild initiatives. There is currently no new bonding available under either of these initiatives.

[Bill Sections: 53 thru 55, 265, and 780]

2. INCLUSION OF UW-MADISON IN STATE BUILDING PROGRAM

Governor: Modify current law to specify that UW-Madison facilities would continue to be part of the state's long-term building program. Require UW-Madison, in addition to all state agencies as under current law, to submit a capital budget request for review by the Building Commission. Specify that UW-Madison's capital budget request would include all proposed building projects except those projects with a cost of not more than \$500,000 that would be funded entirely with sources other than general purpose revenue or general fund supported borrowing. Specify that the Building Commission could authorize any UW-Madison project costing \$500,000 or less and enter into contracts for UW-Madison construction projects except as described in the following entry.

Provide that the Governor could authorize the release of state building trust funds for UW-Madison projects when directed to do so by the Building Commission or in emergency situations, as under current law for all agencies. Provide that the Governor may authorize the expenditure of up to \$500,000 for repairs and construction of a building, structure, or facility from available moneys of UW-Madison from any revenue source in emergency situations. Under current law, the Governor may authorize the expenditure of up to \$500,000 for such

purposes from the building trust fund or from other available moneys appropriated to an agency in emergency situations.

Provide that UW-Madison construction projects would not be subject to municipal ordinances or regulations except for zoning ordinances.

[Bill Sections: 34 thru 37, 44 thru 48, 50, 57, 58, 287, 720, 816, and 817]

3. EXEMPT NON-GPR SUPPORTED UW-MADISON PROJECTS FROM DOA OVERSIGHT

Governor: Exempt UW-Madison building projects that are funded entirely from sources other than general purpose revenue and general fund supported borrowing from the following current law provisions: (a) DOA direction and supervision of all engineering and architectural services and construction work related to state building projects; (b) DOA review and approval of plans and specifications for UW System building projects; (c) periodic review by DOA of the progress of UW System building projects; (d) provisions governing construction project contracts, including bidding procedures, the use of recovered and recycled materials, energy efficiency standards, subcontractors, and partial payments to contractors; (e) approval by the DOA Secretary or the Governor of contracts of more than \$10,000 for engineering services, architectural services, or construction work or of more than \$30,000 for limited trades work; and (f) statutory procedures related to the employment of engineering, architectural, or allied services or expenditures for construction purposes. Specify that the UW-Madison could employ engineering, architectural, or allied services and expend moneys for construction if the project is funded entirely from sources other than GPR and general fund supported borrowing. Provide that Building Commission could not enter into contracts for such projects.

UW-Madison building projects funded entirely from sources other than general purpose revenue and general fund supported borrowing with total costs in excess of \$500,000 would require enumeration by the Legislature and approval by the Building Commission as under current law. In addition, such projects would be subject to statutory provisions related to bids by and contracts with disabled veteran- and minority-owned businesses.

Provide that UW-Madison building projects that are funded at least in part with general purpose revenue or general fund supported borrowing would be subject to the current law provisions listed above.

[Bill Sections: 44, 266, 272, 289, 298, 299, and 301]

4. NO BUILDING COMMISSION APPROVAL OF NON-GPR SUPPORTED PROJECTS UNDER \$500,000

Governor: Provide that UW-Madison would not require the prior approval of the Building Commission to contract in connection with any building project with a cost of not more than \$500,000 if that project is funded entirely with sources other than general program revenue or general fund supported borrowing. Specify that the Building Commission may not prescribe

simplified policies and procedures for such projects.

Under current law, most state building projects with costs of more than \$150,000 must be approved by the Building Commission regardless of the fund source. Current law exceptions include: (a) Department of Transportation projects other than buildings, structures and facilities to be used for administrative or operating functions; (b) Department of Transportation build-operate-lease or transfer agreements; (c) Department of Natural Resources construction work related to hazardous substance spill response or environmental repair; (d) UW Hospitals and Clinics Authority construction or improvement projects; (e) Fox River Navigational System Authority rehabilitation projects; (f) State Fair Park Board construction projects with costs of not more than \$250,000; (g) Wisconsin Economic Development Corporation projects; and (h) projects approved by the Governor in response to emergency situations. The Building Commission may prescribe simplified policies and procedures to be used in lieu of statutory procedures governing construction project contracts for any project that does not require prior approval of the Building Commission. Under current law, state building projects with costs of less than \$500,000 do not require enumeration by the Legislature.

[Bill Sections: 47, 48, and 56]

5. ACCEPTANCE OF GIFTS OF REAL PROPERTY BY UW-MADISON

Governor: Under current law, the UW System may not accept any gift, grant, or bequest of real property with a value in excess of \$30,000 or any gift, grant, or bequest of a building or structure that is constructed for the benefit of the UW System or any UW System institution, including UW-Madison, without approval of the Building Commission. Under the bill, this provision would no longer apply to UW-Madison.

6. APPROVAL OF PRIVATELY OWNED OR OPERATED FACILITIES ON LAND OWNED BY UW-MADISON

Governor: Provide that UW-Madison would not require the approval of the Building Commission for privately owned or operated facilities to be constructed on its land. Under current law, the UW System must get the approval of the Building Commission before it can permit a facility that would be privately owned or operated to be constructed on state-owned land.

[Bill Section: 49]

7. AUTHORITY TO SELL OR LEASE UW-MADISON BUILDINGS AND LAND

Governor: Provide that if the Board of Trustees sells any real property it would deposit an amount sufficient to cover any outstanding public debt related to that property into the bond redemption fund. Provide that if the property was acquired, constructed, or improved with federal funds, the Board of Trustees would pay the net proceeds of the sale to the federal government if required by federal law and, if the property was acquired by gift or grants, the

Board of Trustees would adhere to the terms of the gift or grant in using the proceeds.

Under current law, the Board of Regents is similarly restricted regarding the proceeds of any sale of real property.

[Bill Section: 1087]

8. SALE OF AGRICULTURAL LANDS

Governor: Authorize the UW-Madison Board of Trustees to sell specific agricultural lands and improvements and that the proceeds of these sales would be used to purchase other agricultural lands outside of the Madison urban area and construct necessary buildings and improvements on these lands. Specify that the lands and improvements could be sold or leased by public bid or negotiated sale and that the sale, lease, and purchase of such lands and would be subject to the approval of the Building Commission. Delete a current law provision allowing the Building Commission to authorize to use of building trust fund moneys related to the purchase of such land.

This provision would be identical to current law under the UW System, which would be deleted by the bill, except that under current law any excess proceeds from the sale of agricultural land and improvements would be used to create a nonlapsible fund not to exceed \$7,200,000. The purpose of this fund is to erect facilities for research and instruction in animal husbandry, agricultural engineering, and agricultural and life sciences at UW-Madison. The use of the moneys in this fund is subject to the consent and recommendation of the UW System Board of Regents and authorization by the Building Commission.

[Bill Sections: 40, 561, 1002, and 1003]

9. EXTEND DOA POWERS AND DUTIES TO UW-MADISON

Governor: Provide that, with certain exceptions, the current law powers and duties of DOA and the DOA Secretary with respect to engineering would apply to UW-Madison. These powers and duties include: (a) to furnish engineering, architectural, project management, and other building construction services when requisitioned; (b) the promotion of energy conservation methods; (c) the repair and rebuild of discarded machinery; (d) to plan for future growth and development; (e) the biennial inspection of state buildings; (f) the delegation of work to state agencies; (g) exemption from liability in the case of delay; and (h) exemption for contracts with the federal government or any federal agency from any or all statutory provisions related to construction project contracts. Provide that plans for UW-Madison building projects would not be subject to public inspection unless otherwise provided by DOA rule, which currently applies to plans for state building projects. Require UW-Madison to report to DOA by October 1 of each year the total cost of occupancy of each building, structure, or facility owned by UW-Madison in the previous fiscal year.

[Bill Sections: 268 thru 271, 273, 274, 285, 286, and 302 thru 304]

10. MODIFY PROJECT MANAGEMENT PROVISIONS TO REFER TO UW-MADISON

Governor: Modify current law to permit DOA or the Building Commission to engage in certain actions if those actions are deemed to be in the best interest of UW-Madison or the state. Under current law, DOA or the Building Commission may engage in certain actions if those actions are deemed to be in the best interest of the state. These actions include: (a) bidding of projects with estimated construction costs of less than \$40,000; (b) rejection of any or all bids; (c) issuance of change orders by DOA; (d) enter into contracts for articles and materials that are available from only one source; (e) approval of changes to the list of subcontractors; (e) waiver by the Building Commission of any or all statutory provisions related to construction project contracts; and (f) waiver by the Governor of any or all statutory provisions related to construction project contracts in emergency situations. In addition, modify certain other nonsubstantive provisions to reflect the creation of the UW-Madison authority.

[Bill Sections: 38, 41, 51, 52, 277, 279 thru 281, 284, and 286]

11. POWER PLANTS AND FUEL AND UTILITIES

Governor: Provide that UW-Madison would be subject to current law provisions governing state-owned power plants and fuel and utilities purchases except that: (a) the appointment of a chief operating engineer for any UW-Madison owned power plant would not be subject to DOA approval and the engineer would not be required to report to the DOA Secretary; and (b) DOA would not review and approve the rates UW-Madison charges its appropriations for fuel, water, sewage treatment service, electricity, heat or chilled water that the agency provides to itself.

[Bill Sections: 305 thru 321]

12. SALE OF FUEL AND UTILITY SERVICE

Governor: Provide that UW-Madison may sell fuel, water, sewage treatment service, electricity, heat, or chilled water to a state or federal agency, a local government, or a private entity subject to approval of DOA. Exempt UW-Madison from the following current law provisions governing the sale of utility service: (a) DOA review and approval rates charged for the sale of fuel or utility services; and (b) a requirement that any agency that would sell fuel and utility services to a private entity contact the public utilities in that service area prior to contracting for the sale of fuel or utility services and would be prohibited from entering into the sale of fuel and utility services if a public utility objected.

[Bill Section: 322]

13. ENERGY CONSERVATION AUDITS AND CONSTRUCTION PROJECTS

Governor: Under the bill, DOA would not have the authority to contract for an energy

conservation audit to be performed at any building, structure, or facility owned by UW-Madison. DOA would not have the authority to contract for work identified within such an audit to be performed at a such a building, structure, or facility. Under current law, DOA has the authority to contract for an energy conservation audit and any work identified by such an audit at any state-owned building, structure, or facility, including those under the control of the UW System.

Other Provisions

1. PURCHASING THROUGH HIGHER EDUCATION CONSORTIA AND RELATED PROVISIONS

Governor: Provide that, in general, UW-Madison would be subject to current law governing purchasing. Provide that DOA would delegate to the UW-Madison Board of Trustees the authority to enter into contracts for materials, supplies, equipment, or services that relate to higher education and that agencies other than the UW System or UW-Madison do not commonly purchase. Authorize the UW-Madison Board of Trustees to enter into agreements with other higher education institutions under which any of the parties may agree to participate in, administer, sponsor, or conduct purchasing of materials, supplies, equipment, permanent personal property, miscellaneous capital, or contractual services. Provide that UW-Madison would be able to purchase from any vendor selected as a result of such purchasing agreements.

Provide that UW-Madison purchases with funds other than those shown in the appropriation schedule would be exempt from a provision prohibiting the purchase of contractual services performed outside of the United States.

Provide that current law related to the purchase of materials, supplies, equipment, and contractual services related to information technology, telecommunications, and educational technology would also apply to UW-Madison.

[Bill Sections: 232, 236, 241, 243, 244, 263, and 338 thru 340]

2. SETOFFS FROM CONTRACT PAYMENTS

Governor: Provide that UW-Madison could withhold, or setoff, a portion of payments due under a contract with a vendor if the Department of Revenue has notified the Department of Administration that the vendor owes taxes to the state and requests such action. Provide that UW-Madison would transfer the amounts setoff to the Department of Revenue quarterly. Specify that UW-Madison may collect tax identification information from vendors and provide this information to the Department of Revenue. Provide that UW-Madison would not be liable to any vendor because of these setoffs. These provisions currently apply to the Department of Administration.

[Bill Sections: 300 and 2145 thru 2149]

3. DOA RISK MANAGEMENT SERVICES

Governor: Provide that UW-Madison may elect not to participate in statewide risk management programs coordinated by DOA. Specify that to elect not participate in these risk management programs in the following fiscal year, UW-Madison would have to provide written notice to DOA no later than December 31 preceding the beginning of the fiscal year. Specify that a notice of nonelection would apply to all subsequent fiscal years unless UW-Madison provides written notice no later than December 31 preceding the beginning of a fiscal year that it has elected to participate in the risk management programs coordinated by DOA. Specify that any notice of election from UW-Madison would apply to all subsequent fiscal years unless UW-Madison provided timely notice of nonelection. Modify current law to permit UW-Madison to participate in or benefit from risk management programs coordinated by DOA if UW-Madison elects to participate in such programs.

Under current law, the purpose of the risk management programs coordinated by DOA is to protect the state from losses which are catastrophic in nature and minimize the cost of providing protection against accidental loss. To this end, DOA: (a) identifies and evaluates the state's exposure to loss, the exposure of state employees to loss, and the exposure of the public to injury by reason of fire or other accidents on state-owned properties and facilities; (b) recommends changes in procedures, program conditions, or capital improvement to eliminate or reduce existing exposure; (c) manages the state employees' worker's compensation program and statewide self-funded programs to protect the state from losses of and damage to state property and liability; (d) arranges appropriate insurance contracts for the state and its employees; (e) trains, upgrades, and guides appropriate personnel in the implementation of sound risk management practices; and (f) contracts for investigation and adjustment services that would be performed more economically or efficiently through such a contract. DOA charges each state agency for risk management services provided.

[Bill Sections: 290 thru 296, 723, and 724]

4. UW-MADISON EMPLOYEES PROTECTED FROM CLAIMS

Governor: Provide that current law protecting state employees from claims and limiting the amount of damages that could be awarded would apply to officers, directors, employees, or agents of the UW-Madison Board of Trustees. Provide that an officer, director, employee, or agent of the Board of Trustees of UW-Madison would be considered a state officer, director, employee, or agent in the case that a court action is brought against such a person acting in his or her official capacity. If damages would be awarded pursuant to such an action, the damages, less any amount covered by insurance, would be paid by the state. In addition, regardless of the outcome of such an action, the state would provide legal counsel or pay reasonable attorneys fees less any applicable insurance.

[Bill Sections: 3499 and 3505]

5. REPRESENTATION BY THE STATE ATTORNEY GENERAL

Governor: Provide that, at the request of the head of the Board of Trustees of UW-Madison, the Attorney General could appear for and defend UW-Madison as if it were a state

department in any civil action or other matter brought before a court or an administrative agency. Provide that the Attorney General could appear for or defend any official, employee, or agent of the Board of Trustees of UW-Madison as a state official, employee, or agent when an action is brought against that individual on account of acts committed in the lawful course of an officer's, employee's, or agent's duties. Provide that the Attorney General would also appear for and represent the Board of Trustees of UW-Madison or any UW-Madison official, employee, or agent if so requested by the Governor or either house of the Legislature.

Under current law, the head of the UW System may request the Attorney General to appear for or defend the UW System or any UW System official, employee, or agent for acts committed in the lawful course of that individual's duties. The Governor and both houses of the Legislature may request the Attorney General to appear for and represent the UW System or any UW System official, employee, or agent.

[Bill Section: 2680]

6. EXEMPT RESEARCH AND STUDIES FROM PUBLIC INSPECTION

Governor: Provide that any governing body that has custody of a record could withhold from public inspection any record that is produced for collected by or for a UW-Madison faculty or staff member in conducting research or a study on a commercial, scientific, or technical subject until that information is publicly disseminated or patented. Specify that this would apply to research and studies sponsored by the research alone or in conjunction with other entities or private person. Under the bill, this provision would also apply to records produced or collected by UW System and technical colleges faculty and staff.

[Bill Sections: 354 and 355]

7. CONFLICT OF INTEREST, OPEN MEETINGS, AND PROTECTION OF ACADEMIC FREEDOM

Governor: Provide that current law exempting UW System contracts with research companies from statutes prohibiting private interest in public contracts in certain cases would also apply to UW-Madison contracts with research companies.

Provide that UW-Madison departments and their subunits would be exempt from regulations regarding the public noticing of meetings but would be required to apprise interested persons and news media who have filed written requests for such notice. This provision is identical to current law regarding the public noticing of meetings of the departments and their subunits of UW System institutions.

Provide that any audit performed by the Legislative Audit Bureau (LAB) would not examine issues related to academic freedom or the manner in which individual faculty members or groups of faculty members conduct their instructional, research, or public service activities within UW-Madison. Provide that LAB would not examine or comment on the content of various academic programs, including degree requirements, majors, curriculum, or courses, within UW-Madison. Provide that LAB may review the procedures by which decisions are made and priorities are set and implemented within UW-Madison. These provisions are identical

to current law relating to the UW System.

[Bill Sections: 64, 363, 3533, and 3534]

8. TAX TREATMENT AND MUNICIPAL PAYMENTS

Governor: Provide that UW-Madison would be exempt from state general sales and use taxes and from state corporate taxes as under current law. Provide that all property owned or leased by UW-Madison would be exempt from property taxes provided that use of the property is primarily related to the purposes of UW-Madison. Provide that property of UW-Madison would be subject to all special assessments for local improvements and that assessments in excess of \$50,000 would require approval by the Building Commission as under current law.

Provide that DOA would make municipal payments on behalf of UW-Madison. Provide that DOA would be responsible for negotiating municipal service payments on behalf of UW-Madison. Provide that DOA may delegate this responsibility to UW-Madison.

Under current law, DOA charges these municipal payments back to state agency program revenue and segregated fund appropriations. Under the bill, UW-Madison's auxiliary enterprises, which would include residence halls, dining halls, students unions, athletics facilities, and other non-academic facilities, would not appear in the appropriation schedule and therefore could not be charged for municipal services by DOA.

[Bill Sections: 42, 1726, 1727, 1748, 1750, 1751, 1895, and 2180]

9. LEGISLATIVE OVERSIGHT PROVISIONS

Governor: Provide that the Legislative Audit Bureau would have the authority to conduct postaudits of UW-Madison and that the Legislative Fiscal Bureau would similarly have access to UW-Madison. Provide that any report that UW-Madison would be statutorily required to submit to the Legislature, the Speaker of the Assembly, the President of the Senate, or any standing committee of the Legislature other than the Joint Committee on Finance would be submitted to the Chief Clerk of each house of the Legislature, as under current law for all state agencies. Provide that UW-Madison would be subject to current law regulating lobbying activities by state agencies. Designate UW-Madison as a state agency for the purpose of negotiating interstate compacts. Provide that no such compact negotiated by UW-Madison would take effect until approved by a joint resolution or bill by the Legislature as under current law for all state agencies.

[Bill Sections: 32, 62, 70, 71, and 78]

10. DOA OVERSIGHT PROVISIONS AND EXEMPTIONS

Governor: Require UW-Madison to comply with all requests of the DOA Secretary related to his or her functions. Specify that UW-Madison's books, accounts, and other matters would be subject to examination by DOA and that UW-Madison would furnish information

related its financial transactions to the DOA Secretary. Provide that UW-Madison would submit quarterly reports projecting the revenues and expenditures of program revenue and segregated revenues appropriations and, in the case that it projects that there would be insufficient funds to cover anticipated expenditures, submit a plan to DOA to assure there would be sufficient funds to meet projected expenditures.

Provide that UW-Madison would assist in the preparation of the state budget report, budget bill, and in auditing accounts and would submit an agency budget request to DOA and the Legislative Fiscal Bureau by September 15 of each even-numbered year.

Provide that UW-Madison would be exempt from certain powers and authorities of the Department of Administration. These exemptions would include: (a) the DOA Secretary may not charge or prescribe procedures for UW-Madison to charge central services costs to federal grants or contracts; (b) DOA regulations regarding the review and audit of travel expenditures would not apply to UW-Madison; (c) the public records board would not consult with UW-Madison to determine what records are essential for operation during a state of emergency and provide for their preservation; (d) DOA would not appoint a principal engineer or architect for UW-Madison; and (e) UW-Madison would not be required to pay interest on late payments. DOA rules and policies in the following areas would also not apply to UW-Madison: (a) notification of improper invoices; (b) rental of state-owned housing; (c) surveillance of employees; and (d) fleet management and the use of gasohol, alternative fuels, and hybrid-electric vehicles.

[Bill Sections: 183 thru 187, 190, 192, 215, 218, and 220 thru 223]

11. PARKING

Governor: Provide that current law regarding the use of immobilization devices for parking enforcement by the UW System Board of Regents and chancellors and parking by the Department of Transportation on UW System property would also apply to the UW-Madison Board of Trustees and chancellor on UW-Madison property. Provide that statutory procedures related to nonmoving violations would apply to violations of parking rules promulgated by the UW-Madison Board of Trustees.

[Bill Sections: 3183 thru 3185, and 3189 thru 3192]

12. ENVIRONMENTAL EDUCATION BOARD GRANTS

Governor: Specify that UW-Madison would be eligible to receive grants from the environmental education board. The environmental education board is attached to the UW System.

[Bill Sections: 1015 and 1016]

13. EXTEND CURRENT LAW PROVISIONS TO UW-MADISON

Governor: Modify certain current law references to the UW System, the UW Board of

Regents, or UW System institutions to also refer to UW-Madison or the UW-Madison Board of Trustees. References that would be modified include: (a) certification of accounts; (b) preservation of records; (c) purchase by DOA of educational technology materials, supplies, equipment, or services; (d) exemption of course-related construction work performed by students from provisions governing construction project contracts; (e) facilities and staff sharing with the technical colleges; (f) forestry internships; (g) cooperation with the Department of Natural Resources to promote forest surveys, research, and protection; (h) power to acquire land by condemnation; (i) cooperation in lake protection and rehabilitation projects; (j) exemption for faculty, academic staff, and student from fees charged by the historical society for use of the main library; (k) use of the federal documents depository maintained by the historical society; (L) provision of preadoption preparation; (m) construction or improvement of roads by the Department of Transportation; (n) soil erosion rate on farms; (p) prohibit smoking within 25 feet of a residence hall; (q) requirement regarding automatic fire sprinkler systems in residence halls; (r) preference in the awarding of precollege scholarships given to certain students; (s) provision of leadership, coordination, and education services by cooperative educational service agencies (CESAs) and contracts with CESAs; (t) youth options program; (u) funding for groundwater research; (v) requisition of unclaimed dogs for scientific or educational purposes; (w) work with the Department of Health Services to develop long-term solutions to health problems of minority group members; (y) use of materials developed by the Department of Health Services for the recruitment of economically disadvantaged minority group students into programs leading to careers in health care; (z) storm water discharge grants; (aa) coordination of research, technical assistance, and education programs related to solid waste reduction, recovery, and recycling by the Department of Natural Resources; (bb) advisement by and cooperation with the council on physician assistants; (cc) collection of forfeitures; (dd) deposition orders; (ee) exemption from liability for donors of technology and equipment; (ff) notification above the development zone program; (gg) advisement by the land and water conservation board, the Department of Agriculture, Trade and Consumer Protection, and each county land conservation committee related to soil and water conservation research and educational programs; and (hh) references to a campus under state law governing alcohol beverages.

Provide that the following current law provisions would continue to apply to UW-Madison: (a) UW-Madison would be prohibited from submitting a claim to the Department of Natural Resources for compensation for well contamination or abandonment as under current law; (b) that UW-Madison must adhere to state laws governing the recovery of ozone-depleting refrigerants as under current law; (c) UW-Madison would not be considered a restaurant for the purpose of statutes governing food protection if it only serves meals to UW-Madison students or to authorized elderly persons as under current law; (d) UW-Madison would be eligible to receive cancer control and prevention grants awarded by the Department of Health Services as under current law.

Provide that UW-Madison would be considered a state agency for the purpose of departmental cooperation and a municipality for the purpose of intergovernmental cooperation.

[Bill Sections: 224, 230, 231, 243, 288, 802, 803, 912, 914, 922, 946, 947, 1178, 1180, 1181, 1341, 1720, 2233, 2288 thru 2291, 2332, 2334 thru 2337, 2444, 2455, 2461, 2462, 2530, 2531, 2604, 2676, 2704, 2869, 2870, 2885, 2890, 2926, 2928, 2953, 2959, 3213, 3427, 3484, 3494, and 3506]